

BILL NO. G-90-02-26 (AS AMENDED)

GENERAL ORDINANCE NO. G-08-90

AN ORDINANCE amending the Thoroughfare  
Plan of the City Comprehensive ("Master")  
Plan by vacating a utility easement.

WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-4-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, more specifically described as follows, to-wit:

A fourteen (14) foot utility easement located at the north seven (7) feet of Lot 6 and the south seven (7) feet of Lot 3 and Lot 4 of Summit Industrial Park, except the twenty (20) most western feet of Lot 6 and ten (10) most eastern feet of Lot 6 and the twenty (20) most western feet of Lot 3 and the ten (10) most eastern feet of Lot 4.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary



approval by the Mayor.

Janet G. Bradbury  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

\*\* Public hearing to be held on Tuesday,  
the 27th day of March, 1990,  
in the Council Chambers.

Sandra E. Kennedy  
Sandra E. Kennedy, City Clerk

FOUR STAR BOND  
SOUTHWORTH CO. U.S.A.  
25% COTTON FIBER



GENERAL ORDINANCE NO. G-\_\_\_\_\_

AN ORDINANCE amending the Thoroughfare  
Plan of the City Comprehensive ("Master")  
Plan by vacating a utility easement.

WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-4-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

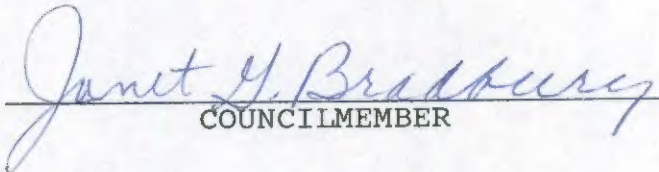
NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, more specifically described as follows, to-wit:

A fourteen (14) foot utility easement located at the north seven (7) feet of Lot 6 and the south seven (7) feet of Lot 3 and Lot 4 of Summit Industrial Park,

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

  
COUNCILMEMBER



#419

APPROVED AS TO FORM AND LEGALITY:

J. TIMOTHY MCCAULAY, CITY ATTORNEY

\*\* Public hearing to be held on \_\_\_\_\_,  
the \_\_\_\_\_ day of \_\_\_\_\_, 1990,  
in the Council Chambers.

Sandra E. Kennedy, City Clerk

FOUR STAR BOND  
SOUTHWORTH CO. U.S.A.  
25% COTTON FIBER



Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on Legislation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 2-27-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~lost~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>			<u>1</u>
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>				<u>✓</u>
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 2-27-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ ~~(ZONING MAP)~~ ORDINANCE RESOLUTION NO. 2-08-90 on the 27th day of March, 1990

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1990, at the hour of 11:20 o'clock 9 M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of March, 1990, at the hour of 3:45 o'clock P M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



Date Filed: February 9, 1990

Vacation Petition

I/We Fort Wayne Redevelopment Commission  
(Applicant's Name or Names)

PETITION TO VACATE Fourteen (14) foot utility easement  
(Street, Alley, Utility Easement, Plat,  
Other)

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully  
petition the Fort Wayne City Plan Commission to vacate the  
following Fourteen foot utility easement with the City of Fort  
Wayne, Indiana, and hereby described as follows:

A fourteen (14) foot utility easement located at the north seven feet of Lot 6  
and the south seven feet of Lot 3 and Lot 4 of Summit Industrial Park.

(Legal Description of property being vacated) If additional  
space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as  
follows:

(List reasons for requesting vacation.)

The Redevelopment Commission owns Lots 3,4, and 6 of Summit Industrial Park.

It has an offer to purchase Lots 1,2,3,4 and 6 of Summit Industrial Park which  
is subject to this utility easement being vacated.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority  
granted in Indiana Code, and provisions of local ordinance, in  
order to complete the vacation as described.

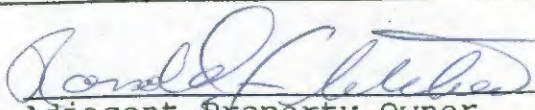
WHEREFORE, your petitioner(s) pray that the above described  
utility easement be vacated according to the provisions  
of the Indiana Law pertaining thereto.

DATED THIS 9th DAY OF February 19 90

Fort Wayne Redevelopment Commission  
Adjacent Property Owner  
Typed Name

1 Main St. - 840 City-County Bldg.  
Address 46802 Zip

Signature

  
Adjacent Property Owner  
Typed Name

Address Zip

Signature



Legal Description of Property:

---

---

---

---

---

Additional Reasons for Vacation Request:

---

---

---

---

---

Owners of Adjacent Property:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Adjacent Owners TYPED Name	Property Address/Zip	Signature
-------------------------------	-------------------------	-----------

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:



Name

1 Main st. - Rm. 840 City-County Bldg.

Street Address

Fort Wayne, IN 46802

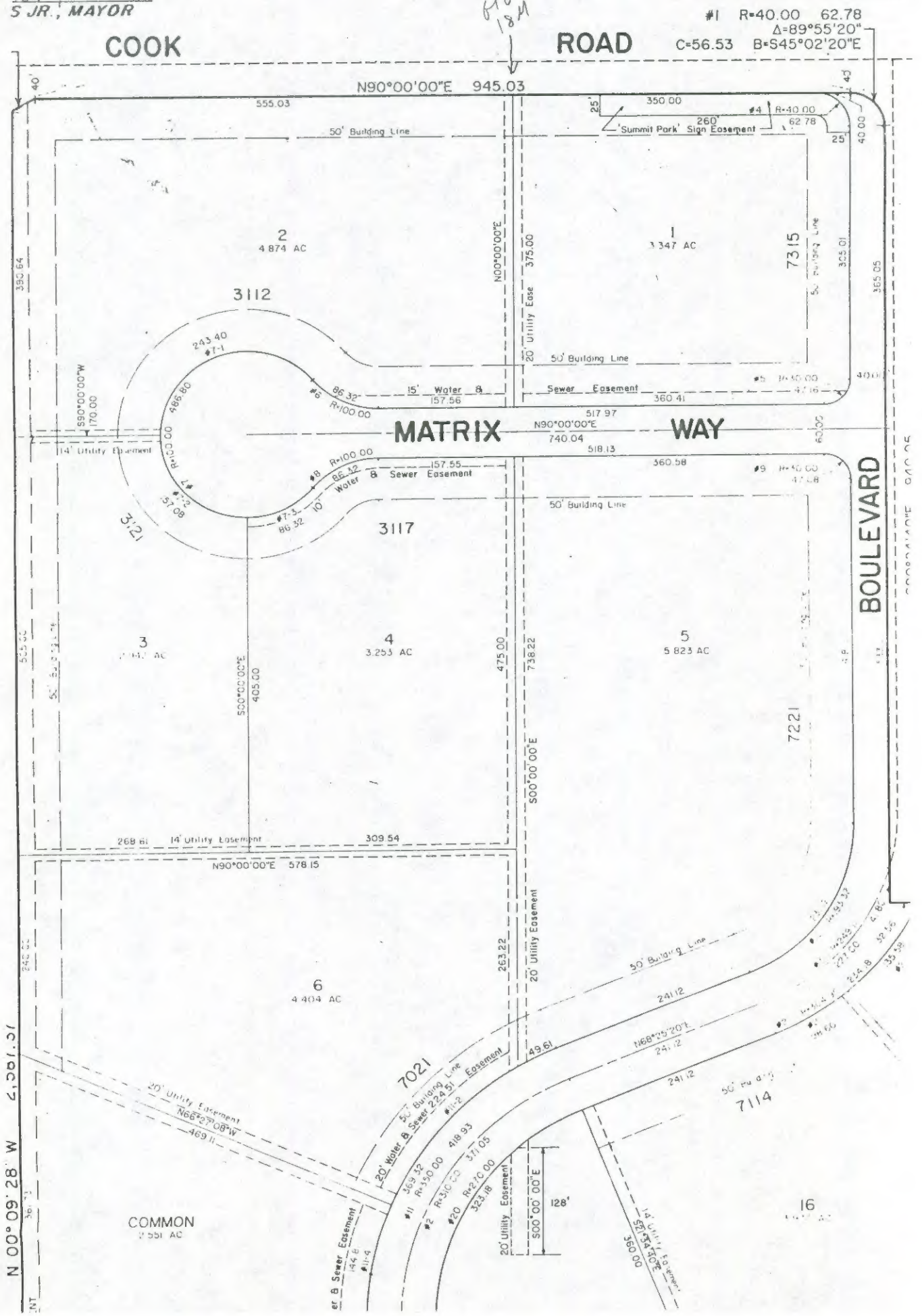
City/State/Zip

(219) 427-1127

Phone



*S. JR. MAYOR*





Date Filed: February 9, 1990

## Vacation Petition

I/We Fort Wayne Redevelopment Commission

(Applicant's Name or Names)

PETITION TO VACATE Fourteen (14) foot utility easement

(Street, Alley, Utility Easement, Plat,

Other)

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following Fourteen (14) foot utility easement with the City of Fort Wayne, Indiana, and hereby described as follows:

A fourteen (14) foot utility easement located at the north seven feet of

Lot 6 and the south seven feet of Lot 3 and Lot 4 of Summit Industrial Park,except for the twenty (20) most western feet of Lot 6 and the ten (10) mosteastern feet of Lot 6 and the twenty (20) most western feet of Lot 3 and theten (10) most eastern feet of Lot 4.

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

The Redevelopment Commission owns Lots 3, 4, and 6 of Summit Industrial Park.It has an offer to purchase Lots 1, 2, 3, 4 and 6 of Summit Industrial Parkwhich is subject to this utility easement being vacated.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described utility easement be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 9th DAY OF February 19 90

Fort Wayne Redevelopment Commission

Adjacent Property Owner  
Typed Name1 Main St. - 840 City-County Bldg.Address Fort Wayne, IN 46802 Zip

Signature

Adjacent Property Owner  
Typed Name

Address

Zip

Signature



Legal Description of Property:

---

---

---

---

---

Additional Reasons for Vacation Request:

---

---

---

---

---

Owners of Adjacent Property:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Adjacent	Property	Address/Zip
Owners TYPED Name		

Signature

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

  
Name

1 Main st. - Rm. 840 City-County Bldg.

Street Address

Fort Wayne, IN 46802

City/State/Zip

(219) 427-1127

Phone



4419

A 14 foot utility easement located at the north 7 feet of Lot 6 and the south 7 feet of Lot 3 and Lot 4 of Summit Industrial Park, except for the 20 most western feet of Lot 6 and the 10 most eastern feet of Lot 6, and the 20 most western feet of Lot 3 and the 10 most eastern feet of Lot 4,

  
Robert Hutner  
Secretary



#419

RESOLUTION 78-189-8

WHEREAS, the FORT WAYNE REDEVELOPMENT COMMISSION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following utility easement situated in Fort Wayne, Allen County, to-wit:

A 14 foot utility easement located at the north 7 feet of Lot 6 and the south 7 feet of Lot 3 and Lot 4 of Summit Industrial Park, except for the 20 most western feet of Lot 6 and the 10 most eastern feet of Lot 6, and the 20 most western feet of Lot 3 and the 10 most eastern feet of Lot 4,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of the utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, Charles E. Layton, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held

March 7, 1990 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 7<sup>th</sup> DAY OF March 1990

FORT WAYNE BOARD OF PUBLIC WORKS

  
Charles E. Layton  
Director of Public Works

  
Michael McAlexander  
Director of Public Safety

  
Douglas M. Lehman  
Director of Administration & Finance



#419

ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE

Utility Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE

Land Use Management - C&ED

SYNOPSIS OF ORDINANCE

A fourteen (14) foot utility easement located at  
the north seven (7) feet of Lot 6 and the south seven (7) feet of Lot 3  
and Lot 4 of Summit Industrial Park.

G-90-02-26  
as amended

EFFECT OF PASSAGE

Property is presently a dedicated utility easement.

Property will be vacated and revert to the adjacent property owners.

EFFECT OF NON-PASSAGE

Property will remain a dedicated utility easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))



**FACT SHEET**

G-90-02-26

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE**

Utility Easement Vacation

**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

Summit Industrial Park

**Reason for Project**

Future sale of lots.

**Discussion (Including relationship to other Council actions)**26 February 1990 - Public Hearing

Ron Fletcher, Director of the Fort Wayne Redevelopment Commission appeared before the Commission. Mr. Fletcher stated that the Redevelopment Commission owns in Summit Industrial Park Lots 1, 2, 3, 4 & 6. He stated that they are requesting the vacation of the easements and right-of-way to allow the Commission to sell the parcels as one parcel for one development.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

5 March 1990 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the seven members present six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**

Applicant(s)  
Fort Wayne Redevelopment  
Commission  
City Department

Other

**Opponents**

Groups or Individuals

Basis of Opposition

**Staff  
Recommendation**☒ For ☐ Against

Reason Against

**Board or  
Commission  
Recommendation**

By

☒ For ☐ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**☐ Pass ☐ Other☐ Pass (as amended) ☐ Hold☐ Council Sub. ☐ Do not pass



# DETAILS

## POLICY/PROGRAM IMPACT

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date 12 February 1990

Projected Completion or Occupancy

Date 6 March 1990

Fact Sheet Prepared by  
Patricia Biancaniello

Date 6 March 1990

Reviewed by

Date 5/6/90

Reference or Case Number



BILL NO. G-90-02-26 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON  
DAVID C. LONG, VICE CHAIRMAN  
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating a utility  
easement

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Janet G. Bradbury*

*C. R. Edmonds*

*D. Schmidt*

*Samuel J. Talarico*

DATED:

*2-27-90.*

Sandra E. Kennedy  
City Clerk

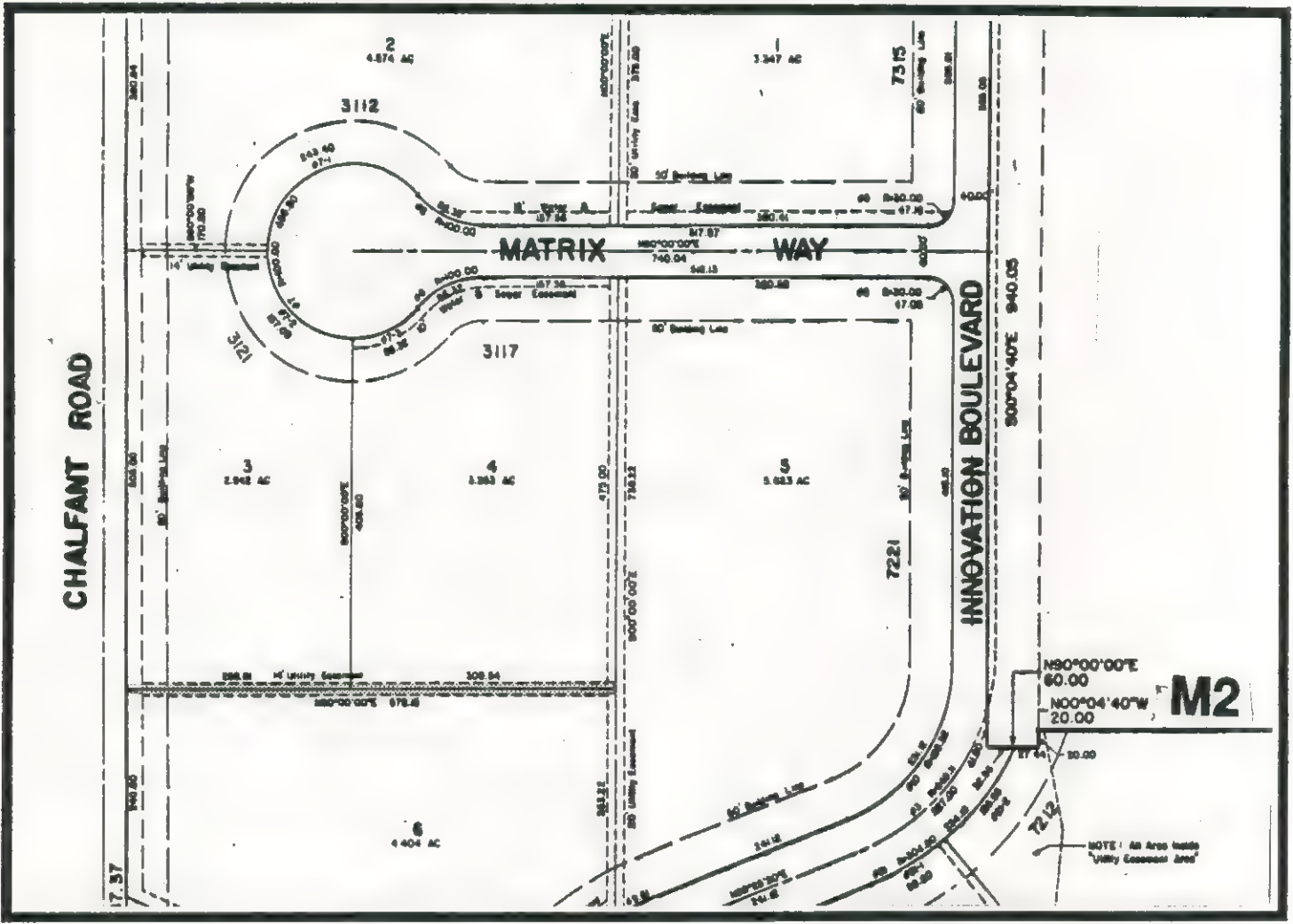


# VACATION PETITION #419

A PETITION TO VACATE THE DESCRIBED FOURTEEN FOOT UTILITY EASEMENT.

MAP NO. I-42

COUNCILMANIC DISTRICT NO. 3



**ZONING:**

M2 LIGHT INDUSTRY

**LAND USE:**

☐ COMMERCIAL

**SCALE:** NTS

**DATE:** 2-6-90







## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

March 14, 1990

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of March 17, 1990, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-90-02-22  
Right of Way Vacation

Bill No. G-90-02-23 (as amended)  
Water and Sewer Easement

Bill No. G-90-02-24)  
Water and Sewer Easement

Bill No. G-90-02-25 (as amended)  
Utility Easement

Bill No. G-90-02-26 (as amended)  
Utility Easement

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 5

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-90-02-26)  
(AS AMENDED)

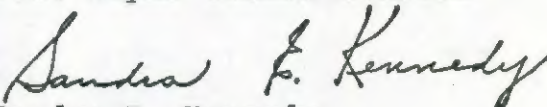
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 27, 1990, at 7:00 P.M., in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Summit Industrial Park - Future sale of lots-  
Utility easement - Councilmanic District #3

A fourteen (14) foot utility easement located at the north seven (7) feet of Lot 6 and the south seven (7) feet of Lot 3 and Lot 4 of Summit Industrial Park, except the twenty (20) most western feet of Lot 6 and ten (10) most eastern feet of Lot 6 and the twenty (20) most western feet of Lot 3 and the ten (10) most eastern feet of Lot 4

All interested persons are invited to appear and be heard.

Fort Wayne Common Council

  
Sandra E. Kennedy  
City Clerk



Fort Wayne Common Council  
(Governmental Unit)To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

4

Body -- number of lines

17

Tail -- number of lines

4

Total number of lines in notice

25

## COMPUTATION OF CHARGES

25 lines, 1 columns wide equals 25 equivalent lines  
at .33 cents per line

\$ 8.25

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 9.25

## DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: March 17, 19 90

Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time(s), the dates of publication being as follows:

3/17/90

Subscribed and sworn to before me this 17th day of March, 19 90Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1994

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-90-02-26)  
AS AMENDED)  
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 27, 1990, at 7:00 P.M. in room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:  
Summit Industrial Park - Future sale of lots - Utility easement - Councilmanic District #3  
A fourteen (14) foot utility easement located at the north seven (7) feet of Lot 6 and the south seven (7) feet of Lot 3 and Lot 4 of Summit Industrial Park, except the twenty (20) most western feet of Lot 6 and the ten (10) most eastern feet of Lot 6 and the twenty (20) most western feet of Lot 3 and the ten (10) most eastern feet of Lot 4.  
All interested persons are invited to appear and be heard.  
Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk



Fort Wayne Common Council

To: The News-Sentinel Dr.

(Governmental Unit)

P.O. Box 100

Allen

Fort Wayne, IN

County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

4

17

4

25

## COMPUTATION OF CHARGES

25 lines, 1 columns wide equals 25 equivalent lines  
at .33 cents per line

\$ 8.25

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 9.25

## DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: March 17, 19 90Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time (s), the dates of publication being as follows:

3/17/90Subscribed and sworn to before me this 17th day of March, 19 90

SHELLEY R. LARUE  
Notary Public Whitley County, I

My commission expires: March 3, 1994NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
(BILL NO. G-90-02-26)

AS AMENDED)  
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 27, 1990, at 7:00 P.M. in room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Summit Industrial Park - Future sale of lots - Utility easement - Councilmanic District #3

A fourteen (14) foot utility easement located at the north seven (7) feet of Lot 6 and the south seven (7) feet of Lot 3 and Lot 4 of Summit Industrial Park, except the twenty (20) most western feet of Lot 6 and the ten (10) most eastern feet of Lot 6 and the twenty (20) most western feet of Lot 3 and the ten (10) most eastern feet of Lot 4

All interested persons are invited to appear and be heard.

Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk